

Service Date: August 30, 2002

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF FIVE VALLEYS GAS CO.,)	UTILITY DIVISION
Application for Approval of a Transfer of Ownership)	
to Energy Partners, LLC.)	DOCKET NO. D2001.5.59
)	ORDER NO. 6360a

FINAL ORDER

On May 16, 2001, Five Valleys Gas Co. (Five Valleys) filed an application before the Public Service Commission (PSC), requesting approval of a transfer of ownership to Energy Partners, LLC (Energy Partners). Five Valleys is a public utility, owned by Cenex Harvest States, Missoula, Montana, providing propane service in the Seeley Lake, Montana, area. Energy Partners is a business, owned by Cenex Harvest States and Missoula Electric Co-op jointly and equally, specializing in propane distribution.

On May 23, 2001, the PSC publicly noticed the request for transfer. The Montana Consumer Counsel (MCC) intervened in the proceeding and is the only person to do so. Following discovery MCC informed the PSC that MCC does not oppose the transfer, but noted that no sales agreement exists regarding the transfer and requested that PSC approval of the transfer be conditioned on PSC and MCC review of the sales agreement.

On September 25, 2001, the PSC approved the requested transfer, subject to PSC and MCC review, and PSC approval, of the sales agreement, when completed. On August 12, 2002, Energy Partners filed the sales agreement. The PSC and MCC have reviewed the sales agreement and find no objection to it. The transfer is approved.

Done and dated this 27th day of August, 2002, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.